

Remarks

In the Notice of Allowance (later withdrawn), the Examiner made certain Amendments to the specification and cancelled claims 21 and 22. The Examiner also amended claim 1.

In an Office Action dated August 17, 2005, the Examiner indicated that drawings submitted after the Notice of Allowance were deemed to be acceptable and indicated that claims 1 through 20 were now pending in the case.

Claims 1-10, 14-16 and 18-20 were rejected under 35 USC 103(a) as being unpatentable over Barker et al. (US Patent 4766457) in view of a Hewlett-Packard news item, referred to as Prior Art in the Office Action. Claims 13 and 17 were rejected under 35USC 103(a) as being unpatentable over Barker et al. and the Prior Art, further in view of Kurosawa et al. (US Patent 6226477). Claims 11 and 12 were objected to as being dependent from a rejected base claim.

Remarks will be presented with regard to claims 1-13. Claims 14-20 have been cancelled, so that presently cancelled are claims 14-22. New claims 23-27 are herein presented.

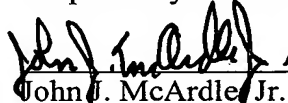
The Barker et al. patent appears to show an exemplary toner cartridge, and the Prior Art recognizes that an ink cartridge provided with an ink jet printer can contain a significantly lesser amount of ink (such as one-half) than a replacement ink cartridge. Claims 1-5 define a method of supplying an image forming device which includes shipping the image forming device with a first cartridge and subsequently supplying a second cartridge. The first cartridge has a first maximum toner capacity, and the second cartridge has a second maximum toner capacity. The first maximum toner capacity is less than the second maximum toner capacity. There does not appear to be a suggestion in the art relied upon by the Examiner of the use of supply cartridges having different maximum capacities. Barker et al. merely appears to show an exemplary toner cartridge, and the Prior Art discusses different levels of ink filling in an ink cartridge but does not discuss the structure or capacity of the ink cartridges involved. The discussion in the Prior Art is of half filling ink cartridges, which would imply that the fully filled and half filled ink cartridges had the same ink capacity.

Similarly, claims 6-13 each recite a "first toner cartridge having a first maximum toner capacity" and a second toner cartridge "having a second maximum toner capacity". The dependent claims further refine the concepts of using a common mold for the cartridges and shipping the first toner cartridge to a user with the image forming device.

Claims 23-26 have been added to further define the invention somewhat along the lines of claim 6 and its dependent claims. These claims more fully define the concept of a wall dividing the toner receiving space of cartridges in order to use the same housings to alternatively make high and low toner capacity cartridges. This simplifies the manufacturing process and avoids the generation of extra inventory of housings for one type of cartridge or the other. In the dependent claims the further refinement of eliminating unneeded agitating members and gears in the portion of the toner holding space not being used in the low capacity cartridge is set forth.

In view of the foregoing remarks, it is believed that the claims remaining in the application, including the added claims are allowable over the art of record in such action by the Examiner is respectfully requested.

Respectfully submitted,



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